

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) 3:12-CR-100-RCJ-(VPC)
)
LYLE BENAVIDES,)
)
Defendant.)

PRELIMINARY ORDER OF FORFEITURE

This Court finds that on March 11, 2013, defendant LYLE BENAVIDES pled guilty to Count Four of a Five-Count Criminal Indictment charging him with Possession of a Firearm During and in Relation to a Drug Trafficking Crime, in violation of Title 18, United States Code, Section 924(c)(1)(A). Indictment, ECF No. 24.

This Court finds defendant LYLE BENAVIDES agreed to the forfeiture of the property set forth in Forfeiture Allegation of the Criminal Indictment. Indictment, ECF No. 24.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Forfeiture Allegation of the Criminal Indictment and the offense to which defendant LYLE BENAVIDES pled guilty.

The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c):

1. Black Taurus .38 Special handgun, bearing serial number KF44315; and
2. any and all ammunition ("property").

1 This Court finds the United States of America is now entitled to, and should, reduce the
2 aforementioned property to the possession of the United States of America.

3 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
4 United States of America should seize the aforementioned property.

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
6 LYLE BENAVIDES in the aforementioned property is forfeited and is vested in the United States
7 of America and shall be safely held by the United States of America until further order of the
8 Court.

9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
10 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
11 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state
12 the time under the applicable statute when a petition contesting the forfeiture must be filed, and
13 state the name and contact information for the government attorney to be served with the petition,
14 pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

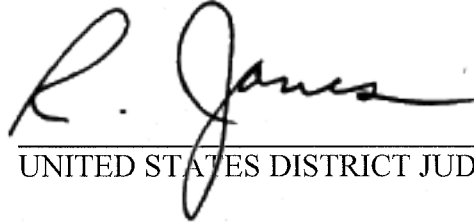
15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
16 with the Clerk of the Court, Bruce R. Thompson U.S. Courthouse and Federal Building, 400 South
17 Virginia Street, 3rd Floor, Reno, NV 89501.

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
19 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
20 following address at the time of filing:

21 Greg Addington
22 Assistant United States Attorney
23 100 West Liberty Street, Suite 600
24 Reno, NV 89501
25 ...
26 ...

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
2 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
3 following publication of notice of seizure and intent to administratively forfeit the above-described
4 property.

5 Dated this 20th day of June, 2013.

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9 UNITED STATES DISTRICT JUDGE
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